

REMARKS

Claims 36-55 are pending.

Claims 36-55 stand rejected under 35 USC § 102(b) as being anticipated by, or under 35 USC § 103(a) as being unpatentable over at least one of Lett et al. (U.S. Patent No. 5,298,250), Shono et al. (U.S. Patent No. 5,698,209), Shahi et al. (Current Science, March 1999, pp. 836-839) and Maunza et al. (Int. J. Pharm., pp. 337-345). The Office Action asserts that the features recited by the claims are either expressly taught by, or are obvious in view of, the cited references.

However, in light of the above-amendments, reconsideration is respectfully requested. Specifically, the claims have been amended to recite “the PMD is present in an anti-fungal or anti-bacterial effective weight percentage from 0.25% to less than 5%”, as supported in the specification at Example 1 and page 5, first paragraph. Because this anti-fungal/anti-bacterial effective weight percentage is neither taught nor suggested by these references, Applicant respectfully presents that the present claims are neither anticipated, by nor unpatentable, over these references.

Although Shono et al. alludes to the fact that the composition can contain PMD in an amount of less than 0.1 wt% (column 3, lines 23-31), as shown by Example 1 of the present specification, amounts less than 0.25 wt % are not effective in exhibiting anti-fungal or anti-bacterial activity. Thus, Applicant has demonstrated the unexpected result for the claimed range.

Applicants respectfully present that each of the pending claims is in condition for allowance. Thus Applicants request entry of the amendments and passage of this application to allowance. If any additional fee is necessary, it may be charged to the undersigned's deposit account number 19-4375.

Respectfully submitted,



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